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**REMARKS/ARGUMENTS**

In an office action mailed December 1, 2004, the Examiner rejected claims 1-22. The Examiner rejected claims 1-16 and 18 as allegedly anticipated by US 6,113,208 (Benjamin). The Examiner rejected claims 17, 19-20 and 22 as allegedly obvious over Benjamin in view of US 4,961,088 (Gilliland) and rejected claim 21 as allegedly unpatentable over Benjamin and Gilliland, in view of US 6,177,860 (Cromer). Applicants respectfully disagree with the Examiner's findings.

**Amended Claims 1, 13 and 19:**

Applicants respectfully submit that Amended claims 1, 13 and 19, and corresponding dependent claims 2-12, 14-18 and 20-22, are allowable over the cited references and fully supported in the specification as filed. None of Benjamin, Gilliland or Comer, alone or in combination, disclose all of the limitations in any of claims 1-22. For example, none of Benjamin, Gilliland or Comer disclose, teach or suggest at least the following limitations of independent claims 1, 13 and 19:

" . . . validating authority to download a software update identified by the software update information, wherein the validating comprises determining if a verification indicator has been pre-set; . . . ."

as recited in claim 1 and incorporated into dependent claims 2-12;

" . . . the software update information including information to determine if there is an update available for the printing device and for initiating a software update upon pre-authorization from the printing device user."

as recited in claim 13 and incorporated into dependent claims 14-18;

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" . . . software update information stored in the memory tag that is retrieved by the laser printer automatically after obtaining pre-authorized authorization from a laser printer user."

as recited in claim 19 and incorporated into dependent claims 20-22. Each of claims 1, 13 and 19, as well as dependent claims 2-12, 14-18 and 20-22, include additional limitations which further serve to distinguish the claims over the cited references.

The amendments to claims 1, 3-5, 13 and 19 are supported in the specification as filed, at least at page 17, lines 1-11 and page 17, line 21 through page 18 line 3.

**Response to Examiner's Comments:**

Applicants disagree with the examiner's characterization of the cited references and the limitations which the examiner alleges they disclose, teach or suggest. For example, with respect to claims 3 and 4, Applicants disagree with the Examiner's statement that Benjamin discloses "determining if a verification indicator is set in memory of [the printing device (claim 3) or a host computer connected to the printing device (claim 4)] and validating that authority has been granted to download the software update if the verification indicator is set." Benjamin states that a "user would have the opportunity of directly downloading an updated driver" - it does not disclose, teach or suggest "validating that authority has been granted to download the software update if the verification indicator is set."

Applicants disagree with the Examiner's characterization of Benjamin as showing, at column 4, lines 5-20, that a "new printer driver can be downloaded automatically . . . ." Benjamin states that "the data read from the memory cartridge can automatically cause the printer's host processor to connect to the manufacturer's Internet website, where the user would have the opportunity of directly downloading an updated driver." 4:7-11. Benjamin also states,

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referring back to the above-quoted text, that "[a]ll of the above actions take place automatically upon insertion of ink cartridge 14 into ink jet printer 1 and require no action by the user, other than installation of the ink cartridge." 4:12-14.

**New Claims:**

New claims 23-30 are fully supported in the specification as filed, at least at FIG. 4 and pages 12-19. Applicants respectfully submit that none of the cited references disclose, teach or suggest all of the limitations of any of the new claims 23-30 alone, or in combination. For example, none of Benjamin, Gilliland or Cromer disclose, teach or suggest at least the following limitations:

"... determining whether a software update is necessary responsive to the update information stored in the memory tag;

transmitting an update request to request the software update;

responsive to the update request, determining whether a verification indicator pre-authorizing the software update is stored in memory;

if the verification indicator is stored in memory, locating the software update using the update information and downloading the software update; and

if the verification indicator is not stored in memory, providing a user a means to authorize the software update."

as recited in claim 23, and incorporated into dependent claims 24-30. Claim 23 and each of the dependent claims 24-30 also include additional limitations which further serve to distinguish the claims over the cited references.

Benjamin discusses, "a message is displayed on display screen 44, indicating availability of the new printer driver. A listing is may also be provided of either an Internet address or a telephone number where the new printer driver can be ordered. Further, the data read from the memory cartridge can automatically cause the printer's host processor to connect to the

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manufacturer's Internet website, where the user would have the opportunity of directly downloading an updated driver." 4:3-12. Benjamin does not disclose, teach or suggest all of the limitations listed above.

New claims 31 and 32 are fully supported in the specification as filed, at least at original claims 1, 3 and 4. Applicants respectfully submit that new claims 31 and 32 are not invalid over the cited references, at least for reasons given above in the Response to the Examiner's Comments.

New claims 33-37 are fully supported in the specification as filed, at least at original claim 13 and pages 14-19. Applicants respectfully submit that none of the cited references disclose, teach or suggest all of the limitations of any of the new claims 33-37. For example, none of the cited references, alone or in combination, disclose teach or suggest at least the following limitations:

" . . . software instructions stored in the printing device, wherein the instructions include instructions to determine whether a verification indicator is set authorizing the software update and, if the verification indicator is set, to download the software update, and if the verification indicator is not set, to provide a user with a means to authorize the software update."

as recited in claim 33, and incorporated into dependent claims 34-37. Claim 33 and each of the dependent claims 34-37 also include additional limitations which serve to further distinguish the claims over the cited references.

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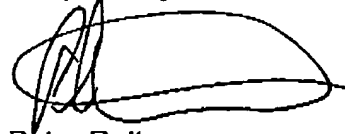
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### CONCLUSION

For the foregoing reasons, Applicants respectfully request that the Examiner withdraw the rejections of claims 1-22 and allow pending claims 1-37.

Respectfully submitted,



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